

Date signed April 16, 2007



A handwritten signature in cursive script that reads "Paul Mannes".

PAUL MANNES  
U. S. BANKRUPTCY JUDGE

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF MARYLAND  
at Greenbelt**

<b>In re:</b>	:	
<b>Mariam S. Moustafa</b>	:	<b>Case no. 05-34913-PM</b>
	:	<b>Chapter 7</b>
<b>Debtor.</b>	:	
<hr/> <b>Merrill Cohen, Trustee</b>	:	
<b>Movant</b>	:	
<b>v.</b>	:	
<b>Moustafa M. Moustafa,</b>	:	
<b>Washington Mutual Bank,</b>	:	
<b>Wachovia Bank, N.A.,</b>	:	
<b>S&amp;M Contractors and/or</b>	:	
<b>Salah Moustafa and</b>	:	
<b>Van Grack, Axelson, Williamowsky,</b>	:	
<b>Bender &amp; Fishman, P.C.</b>	:	
<b>Respondents.</b>	:	

**MEMORANDUM OF DECISION**

On April 9, 2007, this court heard the trustee's motion for authorization to sell real property free and clear of liens, encumbrances and interests. This motion followed the court's granting of a consent order in the related adversary proceeding whereby the trustee was

empowered to sell the property of the debtor and the co-debtor, her former husband Moustafa M. Moustafa, pursuant to 11 U.S.C. § 363(h).

Moustafa Moustafa objects to the trustee's motion, and now offers \$40,000.00 to purchase the equity of the estate in the subject property. Even were the price offered adequate, and the court makes no such finding, this offer comes far too late. Moustafa Moustafa could have concluded this effort long before the trustee's efforts to sell the property as an entirety. He failed to do so. In the meanwhile the trustee has incurred obligations to his sales agent, who has produced a buyer ready willing and able to purchase the subject property.

Under the prior order of this court entered in Adversary Proceeding Number 06-1504, Moustafa Moustafa has the right to purchase the property pursuant to 11 U.S.C. § 363(I) for the same price as the sale noticed by the trustee. An appropriate order will be entered.

cc: Debtor  
Debtor's counsel  
Chapter 7 Trustee  
Moustafa Moustafa  
Samuel Williamowsky, Esq.  
Michael Cantrell, Esq.  
C. Larry Hofmeister, Esq.  
S&M Contractors  
United States Trustee

**End of Order**